

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

January 30, 2017

Ms. Linda Dreeben
National Labor Relations Board
Appellate & Supreme Court Litigation Branch
1015 Half Street, S.E.
Suite 4163
Washington, DC 20570

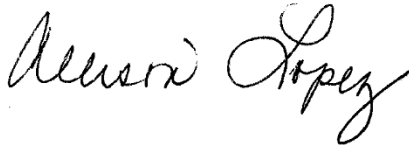
No. 16-60825 NLRB v. Porter Industries Env Svc Co
Agency No. 15-CA-160559

Dear Ms. Dreeben,

Enclosed is a copy of this court's order entered this date granting the petitioner's application for summary entry of a judgment, together with a copy of the judgment.

Sincerely,

LYLE W. CAYCE, Clerk

A handwritten signature in black ink, appearing to read "Allison Lopez", written over a horizontal line.

By: _____
Allison G. Lopez, Deputy Clerk
504-310-7702

cc w/encl:
Mr. Carl A. Butler

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 16-60825



NATIONAL LABOR RELATIONS BOARD,

Petitioner

v.

PORTER INDUSTRIES ENVIRONMENTAL SERVICES COMPANY,

Respondent

A True Copy
Certified order issued Jan 30, 2017

Stylle W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

Application for Summary Entry of an Order of the
National Labor Relations Board

Before CLEMENT, PRADO and HIGGINSON, Circuit Judges.

PER CURIAM:

IT IS ORDERED that petitioner's application for summary entry of a judgment enforcing the order of the National Labor Relations Board is GRANTED.

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD :

Petitioner :

No. :

v. :

PORTER INDUSTRIES ENVIRONMENTAL
SERVICES CO. :

Board Case No.:
15-CA-160559 :

Respondent :

JUDGMENT ENFORCING AN ORDER OF THE
NATIONAL LABOR RELATIONS BOARD

Before: CLEMENT, PRADO and HIGGINSON, Circuit Judges.

This cause was submitted upon the application of the National Labor Relations Board for summary entry of a judgment against Respondent, Porter Industries Environmental Services Co., its officers, agents, successors, and assigns, enforcing its order dated May 27, 2016, in Case No. 15-CA-160559, and the Court having considered the same, it is hereby

ORDERED AND ADJUDGED by the Court that the Respondent, Porter Industries Environmental Services Co., its officers, agents, successors, and assigns, shall abide by said order (See Attached Order and Appendix).

Mandate shall issue forthwith.

ENTERED: January 30, 2017



A True Copy
Certified order issued Jan 30, 2017

Styl W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

NATIONAL LABOR RELATIONS BOARD

v.

PORTER INDUSTRIES ENVIRONMENTAL SERVICES CO.

ORDER

Porter Industries Environmental Services Company, New Orleans, Louisiana, its officers, agents, successors, and assigns, shall

1. Cease and desist from
 - (a) Failing and refusing to bargain collectively and in good faith with International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, AFL-CIO (UAW), Local 1921 (the Union), as the exclusive collective-bargaining representative of the employees in the bargaining unit.
 - (b) In any like or related manner interfering with, re-straining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.
2. Take the following affirmative action ~~necessary~~ to effectuate the policies of the Act.
 - (a) On request, bargain with the Union as the exclusive collective-bargaining representative of the employees in the following appropriate unit concerning terms and conditions of employment and, if an understanding is reached, embody the understanding in a signed agreement:

Included: all janitorial employees at the MAF; Excluded: all other employees, office clerical employees, guards and supervisors as defined by the Act.
 - (b) Within 14 days after service by the Region, post at its facility in New Orleans, Louisiana, copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 15, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical

posting of paper notices, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material. If the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since July 6, 2015.

- (c) Within 21 days after service by the Region, file with the Regional Director for Region 15 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

APPENDIX

NOTICE TO EMPLOYEES

**POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES
COURT OF APPEALS ENFORCING AN ORDER OF THE
NATIONAL LABOR RELATIONS BOARD
An Agency of the United States Government**

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist a union

Choose representatives to bargain with us on your behalf

Act together with other employees for your benefit and protection

Choose not to engage in any of these protected activities.

WE WILL NOT fail and refuse to bargain collectively and in good faith with International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, AFL-CIO (UAW), Local 1921 (the Union), as the exclusive collective-bargaining representative of our employees in the bargaining unit.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

WE WILL, on request, bargain with the Union as the exclusive representative of our employees in the following appropriate bargaining unit concerning terms and conditions of employment and, if an understanding is reached, embody the understanding in a signed agreement:

Included: all janitorial employees at the MAF; Excluded:
all other employees, office clerical employees, guards and
supervisors as defined by the Act.

PORTER INDUSTRIES ENVIRONMENTAL SERVICES COMPANY

The Board's decision can be found at www.nlrb.gov/case/15-CA-160559 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

